



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

September 5, 2017

Waiver 17-08-015

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee may not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Gladys Herrera Garrido is a Community Service Aide III (CSA III) in the Administrative Care Coordination Unit (ACCU) at the Montgomery County Department of Health and Human Services (DHHS). Ms. Herrera Garrido has requested outside employment as a Community Living Assistant at Target Community and Educational Service, Inc. (TCES), an entity that has a contract with DHHS.

In her role as a CSA III, Ms. Herrera Garrido assists recipients of Medical Assistance, advises persons on reapplying for Medical Assistance, and educates pregnant recipients in choosing a Medical Care Organization.

In her role as a Community Support Living Assistant at the TCES, Ms. Herrera Garrido acts as an advocate for individuals with developmental and other disabilities.

DHHS has a contract with TCES to advance TCES's principal mission of promoting the welfare of persons with developmental disabilities. Ms. Herrera Garrido's position is not funded with funds from this contract. Ms. Herrera Garrido has no County duties relating to the department's contract with TCES, and she will have no responsibilities that relate to the DHHS contract with TCES in her outside employment position.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

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This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Herrera Garrido.

For the Commission:

A handwritten signature in blue ink, appearing to read "Steven Rosen".

Steven Rosen, Chair